

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

)	Chapter 11
)	
)	
In re:)	Case No. 19-76260 (AST)
)	Case No. 19-76263 (AST)
)	Case No. 19-76267 (AST)
Absolut Facilities Management, LLC, <i>et al.</i> ,)	Case No. 19-76268 (AST)
)	Case No. 19-76269 (AST)
Debtors. ¹)	Case No. 19-76270 (AST)
)	Case No. 19-76271 (AST)
)	Case No. 19-76272 (AST)
)	
)	(Jointly Administered)
)	
6060 Armor Road, LLC,)	
)	
Plaintiff,)	
)	
v.)	Adv. Pro. No. 19-08121 (AST)
)	
Absolut Facilities Management, LLC and Absolut)	
Center for Nursing and Rehabilitation at Orchard)	
Park, LLC)	
)	
Defendants.)	

**ORDER (I) ON PLAINTIFF’S REQUEST FOR A HEARING ON SHORTENED
NOTICE ON PLAINTIFF’S APPLICATION FOR ENTRY OF ORDERS GRANTING A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION
ENJOINING DEFENDANTS FROM IMPLEMENTING UNAPPROVED PLAN OF
CLOSURE PRIOR TO APPROVAL UNDER 11 U.S.C. § 363;
(II) SCHEDULING A HEARING ON PLAINTIFF’S APPLICATION; AND
(III) ORDERING DEFENDANTS TO SHOW CAUSE**

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Absolut Facilities Management, LLC (1412); Absolut Center for Nursing and Rehabilitation at Allegany, LLC (7875); Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC (8266); Absolut Center for Nursing and Rehabilitation at Gasport, LLC (8080); Absolut at Orchard Brooke, LLC (1641); Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC (8300); Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC (8133); and Absolut Center for Nursing and Rehabilitation at Westfield, LLC (7924).


Upon *Plaintiff's Application for the Entry of Orders Granting a Temporary Restraining Order and Preliminary Injunction Enjoining Defendants from Implementing Unapproved Plan of Closure Prior to Approval Under 11 U.S.C. § 363* (the "Application") [dkt item 3] and the Declaration of George P. Angelich in connection therewith [dkt item 4], seeking entry of an order scheduling a hearing and shortening the notice period to consider the Application; and the Court's Order requiring Defendants Absolut Facilities Management, LLC and Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC to respond or object to the Application and the immediate relief requested therein [dkt item 7]; and Defendants filing an objection [dkt item 8]; and Plaintiff filing a reply [dkt item 9]; and the joinder of Capital Finance, LLC [main case dkt item 58] and Capital Funding, LLC [dkt item 11] in support of the Application; it is hereby

ORDERED that a hearing (the "Hearing") to consider a temporary restraining order and other immediate relief as requested in the Application, substantially in the form attached to the Declaration of George P. Angelich as Exhibit "A" [dkt item 4-2], is scheduled for **October 3, 2019 at 1:30 p.m. (prevailing Eastern Time)** before the Honorable Alan S. Trust in Courtroom 960, United States Bankruptcy Court, Eastern District of New York, 290 Federal Plaza, Central Islip, New York 11722; and it is further

ORDERED that at the Hearing, Defendants shall show cause why the lease at the subject facility should not be immediately terminated, why possession of the premises should not be immediately surrendered, and why any post-petition rent and allowable charges under such lease should not be immediately paid.

Dated: September 27, 2019
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge